

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*


ALEXANDER D. SEVILLET,	)	
	)	
Plaintiff,	)	2:11-cv-00761-PMP-CWH
	)	
vs.	)	<u>ORDER</u>
	)	
DWIGHT NEVEN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

This matter is before the Court on Defendants' Motion to Strike Plaintiff's Improperly Filed Declarations (#60), filed January 5, 2012; Plaintiff's Opposition (#67), filed January 12, 2012; and Defendants' Reply (#68).

At issue are two unsworn declarations filed by third-party Karina Lopez. *See* (#52) and (#55). The Court agrees with Defendants that these unsworn declarations are of little value in considering Plaintiff's motion for assistance (#45). Nevertheless, this Court is obligated "[i]n civil rights cases, where the plaintiff is proceeding *pro se*, . . . to construe the pleadings liberally and to afford the plaintiff the benefit of any doubt." *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987). In doing so, the Court will construe that declaration (#52) was intended to be filed as an exhibit to Plaintiff's motion for assistance (#45). It does appear that declaration (#55) is merely a duplicate of the prior declaration and, therefore, will be stricken. *See* Fed. R. Civ. P. 12(f) ("The court may strike ...any redundant, immaterial, impertinent, or scandalous matter."). Accordingly,

**IT IS HEREBY ORDERED** that Defendants' Motion to Strike Plaintiff's Improperly Filed Declarations (#60) is **granted in part and denied in part**.

DATED this 30th day of January, 2012.

  
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C.W. Hoffman, Jr.  
United States Magistrate Judge